

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ROBERT DALE HARRIS,

Plaintiff,

v.

Case No: 2:18-cv-17-FtM-29MRM

KEVIN RAMBOSK, in his
official capacity as Sheriff
of Collier County, Florida,
KASEY P. WINGO,
individually, MICHAEL D.
CHAPMAN, individually, SCOTT
PEPIN, individually, and
ROSS ANTHONY, individually,

Defendants.

ORDER

This matter comes before the Court on an entry of dismissal from the United States Court of Appeals for the Eleventh Circuit (Doc. #198) filed on December 23, 2020, pursuant to defendant-appellant Scott Pepin's motion for voluntary dismissal of appeal. See Fed. R. App. P. 42.

On November 5, 2019, the Court granted in part and denied in part defendant Pepin's request for summary judgment. (Doc. #175.) On November 7, 2019, Pepin filed a Notice of Interlocutory Appeal as to this Court's Opinion and Order on Motion for Summary Judgment. (Doc. #184.) Defendant Pepin also sought reconsideration of the Court's Order (Doc. #180), which the Court granted on November 5, 2020. (Doc. #198.) Upon reconsideration, the Court

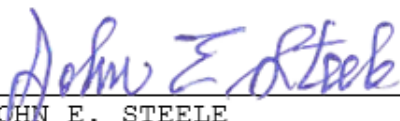
granted Pepin's Motion for Summary Judgment as to the statute of limitations issue and directed the Clerk of Court to withhold an entry of judgment until the case was returned from the Eleventh Circuit. (Id.) In light of the voluntary dismissal of appeal, the entry granting Pepin's Motion for Summary Judgment may now be recorded and defendant Pepin shall be terminated as a defendant in this case.

Accordingly, it is hereby

ORDERED:

1. The Clerk shall enter judgment **GRANTING** the Motion for Summary Judgment (Doc. #113) as to the statute of limitations issue.
2. The Clerk shall terminate defendant Scott Pepin on the docket, and the case otherwise remains stayed.

DONE and ORDERED at Fort Myers, Florida, this 30th day of December, 2020.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Counsel of Record